



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
ADDRESS COMMISSIONER FOR PATENTS  
P.O. Box 1610  
Alexandria, Virginia 22313-1610  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/772,418	02/06/2004	Burton H. Sage JR.	080219-0105

22428  
FOLEY AND LARDNER  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

CONFIRMATION NO. 2059

FORMALITIES LETTER



\*OC000000012559865\*

Date Mailed: 05/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is Informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 1.

The applicant needs to satisfy supplemental fees problems indicated below.

10/08/2004 JBALINAN 00000109 10772418

01 FC:2001	395.00	OP
02 FC:2051	65.00	OP
03 FC:2202	18.00	OP

BEST AVAILABLE COPY

**BEST AVAILABLE COPY**

Page 2 of 2

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$18 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$468 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$18
- \$18 for 2 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

KT  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY



Atty. Dkt. No. 080219-0105

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Burton Sage, Jr. et al.  
Title: LIQUID MEASURING SYSTEM  
Appl. No.: 10/772,418  
Filing Date: February 6, 2004  
Examiner: Unassigned  
Art Unit: 3763

**TRANSMITTAL OF MISSING PARTS  
OF PATENT APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed May 7, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

☒ Declaration and Power of Attorney (4 pages)

Any attached specification is a copy of the specification and any amendments thereto which were filed in the U.S. Patent and Trademark Office in order to obtain a filing date for the application.

☒ Return Copy of Notice to File Missing Parts

☐ Translation

☐ Drawings

☐ Preliminary Amendment

10/08/2004 JBALINAN 00000110 10772418

01 FC:2253

490.00 OP

- ☐ Claim for Convention Priority and certified copy of priority documents
- ☐ Information Disclosure Statement
- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

- ☐ Extension for response filed within the first month
- ☐ Extension for response filed within the second month
- ☒ Extension for response filed within the third month
- ☐ Extension for response filed within the fourth month
- ☐ Extension for response filed within the fifth month

- ☒ Other: Supplemental Application Data Sheet

The filing fee is calculated below:

Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee			\$790.00	\$790.00
Total	22	- 20 = 2	x \$18.00 =	\$36.00
Claims:				
Independent	2	- 3 = 0	x \$88.00 =	\$0.00
ents:				
If any Multiple Dependent Claim(s) present:			+ \$300.00 =	\$0.00
Surcharge under 37 CFR 1.16(e) for late filing of			+ \$130.00 =	\$130.00
Executed Declaration and late payment of filing fee				
<input checked="" type="checkbox"/> Extension fee for response filed within			+ \$980.00 =	\$ 980.00
the third month:				
			SUBTOTAL:	= \$1,936.00
<input checked="" type="checkbox"/>			Small Entity Fees Apply (subtract ½ of above):	= \$968.00
			TOTAL FILING FEE:	= \$968.00
			TOTAL FEE	= \$968.00
Difference to pay:			- \$0.00 -	\$968.00

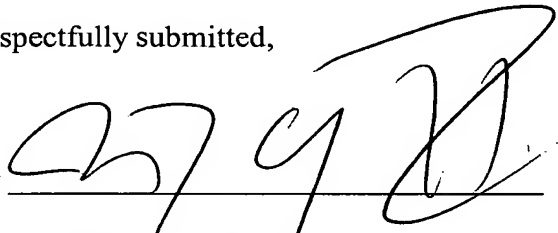
- ☒ Check in the amount of \$968.00 in payment of surcharge fee, the filing fee 2 additional dependent claims, and 3 month EOT. (37 C.F.R. § 1.16(e))

☐ Please charge Deposit Account No. 19-0741 in the amount of \$0.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By



Martin J. Cosenza  
Attorney for Applicant  
Registration No. 48,892

Date October 7, 2004

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 295-4747  
Facsimile: (202) 672-5399